

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
Heather Josephine Jansen	:	
	:	
Plaintiff(s),	:	24 -CV-00347
	:	
-v-	:	
	:	<u>CASE MANAGEMENT PLAN AND</u>
	:	<u>SCHEDULING ORDER</u>
City of New York, et al	:	
	:	
Defendant(s).	:	
	:	
	-----X	

NAOMI BUCHWALD, United States District Judge:

This Civil Case Management Plan and Scheduling Order is submitted by the parties in accordance with Federal Rule of Civil Procedure 26(f)(3):

1. All parties [consent _____ / do not consent ^X_____] to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. *[If all parties consent, the remaining paragraphs need not be completed.]*
2. The parties [have _____ / have not ^X_____] conferred pursuant to Federal Rule of Civil Procedure 26(f).
3. The parties [have ^X_____ / have not _____] engaged in settlement discussions.
4. No additional parties may be joined after 30 days from the entry of this order absent a showing of good cause under FRCP 16
No additional causes of action or defenses may be asserted after 30 days from the entry of this order absent a showing of good cause under FRCP 16.

5. Initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure shall be completed no later than 11/29/2024. [*Absent exceptional circumstances, a date not more than fourteen (14) days following the parties' 26(f) conference.*]
6. All fact discovery is to be completed no later than 03/14/2025. [*A date not more than one hundred twenty (120) days following the initial 26(f) conference, unless the Court finds that the case presents unique complexities or other exceptional circumstances.*]
7. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided that the parties meet the deadline for completing fact discovery set forth in Paragraph 6 above.
 - a. Initial requests for production of documents shall be served by 01/03/2025.
 - b. Interrogatories pursuant to Rule 33.3(a) of the Local Rules of the Southern District of New York shall be served by 01/03/2025. [*Absent exceptional circumstances, a date not more than thirty (30) days following the 26(f) conference.*] No Rule 33.3(a) interrogatories need to be served with respect to disclosures automatically required by Federal Rule of Civil Procedure 26(a).
 - c. Unless otherwise ordered by the Court, contention interrogatories should be served consistent with Rule 33.3(c) of the Local Rules of the Southern District of New York.
 - d. Depositions shall be completed by 2/14/2025.
 - i. Absent an agreement between the parties or an order from the Court, depositions are not to be held until all parties have responded to initial requests for document productions.
 - ii. There is no priority for depositions by reason of a party's status as a plaintiff or defendant.
 - iii. Absent an agreement between the parties or an order from the Court, non-party depositions shall follow initial party depositions.
 - e. Requests to Admit shall be served no later than 2/1/25.
8. All expert discovery, including disclosures, reports, production of underlying documents, and depositions shall be completed by 04/30/2025. [*Absent exceptional circumstances, a date forty-five (45) days from the completion of fact discovery.*]
9. All discovery shall be completed no later than ²04/30/2025.
10. The proposed joint pretrial order shall be submitted on ECF in accordance with the Court's Individual Practices in Civil Cases and Federal Rule of Civil Procedure 26(a)(3)

[Absent exceptional circumstances, a date fourteen (14) days from the completion of all discovery.]

12. This case [is X / is not] to be tried to a jury.
13. The parties have conferred and their present best estimate of the length of trial is 2-3 days.
14. Counsel for the parties propose the following alternative dispute resolution mechanism for this case:
- a. X Referral to a Magistrate Judge for settlement discussions.
 - b. X Referral to the Southern District's Mediation Program.
 - c. Retention of a private mediator.

The use of any alternative dispute resolution mechanism does not stay or modify any date in this Order.

15. Other issues to be addressed at the Initial Pretrial Conference, including those set forth in Federal Rule of Civil Procedure 26(f)(3), are set forth below.
16. The parties shall report to the Court on the status of the case every 60 days, from the date hereof.
- _____
- _____
- _____

Counsel for the Parties:

ABRAMS & KAPLAN, P.C.

Attorney for Plaintiff JANSEN

225 West 25th Street, 6F, New York, NY 10001

By: David A. Kaplan, Esq. 


MURIEL GOODE-TRUFANT Acting

Acting Corporation Counsel of the City of New York

Attorney for Respondents

By: Taylor Anvid - Assistant Corp. Counsel

Dated: November 18, 2024
New York, New York



NAOMI BUCHWALD
United States District
Judge